

Exhibit A

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable William H. Orrick, Judge

SYNOPSYS, INC.,)	
)	
Plaintiff,)	
)	
VS.)	NO. CV 17-00561-WHO
)	
UBIQUITI NETWORKS, INC., ET AL.,)	
)	
Defendants.)	
)	

San Francisco, California
Wednesday, June 6, 2018

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff:

ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94560
BY: ROBERT URIARTE, ESQUIRE
DENISE MINGRONE, ESQUIRE

For Defendant Ubiquiti Networks, Inc. and Ubiquiti Networks International Limited:

MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
BY: JENNIFER TAYLOR, ESQUIRE
JOYCE LIOU, ESQUIRE
ROBIN L. BREWER, ESQUIRE

Reported By:

Pamela A. Batalo, CSR No. 3593, RMR, FCRR
Official Reporter

APPEARANCES CONTINUED:

For Defendant Ching-Han Tsai:

THE BUSINESS LITIGATION GROUP, P.C.
555 Montgomery Street - Suite 1650
San Francisco, CA 94111

**BY: MARC N. BERNSTEIN, ESQUIRE
WILL FITTON, ESQUIRE**

1 **THE COURT:** All right. So does that give you enough
2 direction or should I sit here and try to do more?

3 **MS. TAYLOR:** Well, there was one issue I discussed
4 with Denise last time we got together and -- settlement
5 conference. I just told her I brought a summer associate the
6 prior week to Judge Corley's courtroom where she ordered a
7 settlement conference with a magistrate judge, and I was like
8 maybe we should ask for that here.

9 And I think you were going to talk with your client and I
10 did talk with my client and he's amenable to it.

11 We did previously try a mediation with Judge Layn Phillips
12 down in L.A. At the time we thought it was a little too early.
13 Most of the fact discovery will be done shortly, and so that's
14 why I mentioned it to Denise the other day. I don't know --
15 sorry.

16 I didn't follow up with you about that.

17 **MS. MINGRONE:** That's okay.

18 If Judge Phillips is available, I had told Ms. Taylor that
19 Synopsis is happy to go back to Judge Phillips. He has
20 invested the time. He has an assistant judge helping him, and
21 that's fine, if Ubiquiti is thinking that would be productive.

22 **THE COURT:** Okay. And is that what you were thinking
23 or were you --

24 **MS. TAYLOR:** I was actually thinking of a settlement
25 conference with a magistrate judge, which is what Judge Corley

1 had ordered in the other case last week. I just find those are
2 often helpful once the case has gone along for awhile.

3 **MR. BERNSTEIN:** And I would second that. I think in
4 this district there are some fabulous magistrate judges who I
5 have seen work wonders so --

6 **THE COURT:** There is no doubt about that. The
7 question is timing.

8 **MS. MINGRONE:** Exactly.

9 **THE COURT:** And the Court is investing a lot of time
10 in your case. I've been so grateful that Judge Beeler has been
11 seeing you on all of those things.

12 **MS. MINGRONE:** That was my concern, Your Honor, as
13 well; that's what I told Ms. Taylor, is that since we've
14 already been with Judge Phillips, he is familiar, he is very
15 diligent about following the case, that it seems to make the
16 most sense, given how busy the magistrates are, and we do have
17 several matters teeing up with Judge Beeler again.

18 **THE COURT:** So I will require -- if you are unable to
19 resolve this with Judge Phillips, I will have you have a
20 settlement conference with a magistrate judge, and the next
21 time that I see you, I'd like you to remind me of that because
22 it will mean that you have tried again with Judge Phillips and
23 it hasn't worked.

24 So my suggestion is you go to Judge Phillips, and if that
25 doesn't work, certainly by the time of the dispositive motion

1 hearing, if the case isn't disposed of, I would send you out,
2 but I would will like to schedule it before that, particularly
3 because I'd like you to be around and not in Africa.

4 All right. Any other issues?

5 **MR. BERNSTEIN:** May I have one moment, Your Honor?

6 **THE COURT:** Yes.

7 (Counsel confer off the record.)

8 **MR. BERNSTEIN:** Nothing further.

9 **THE COURT:** Okay. Anything else?

10 **MS. MINGRONE:** Nothing further, Your Honor. Thank
11 you.

12 **MS. TAYLOR:** I did have two quick issues.

13 One is should we set a further scheduling -- Case
14 Management Conference if our hearing date on the motions to --
15 the dispositive motions are in November and you would like us
16 to let you know prior to that whether or not we were successful
17 in settling with Judge Phillips -- one, I was wondering if we
18 should set a Case Management Conference sometime in the fall so
19 we can report back about that?

20 **THE COURT:** If you would like to do that, that is fine
21 by me. I'm always happy to -- not do discovery disputes but to
22 see lawyers.

23 Do you want to say September 25th?

24 **MS. MINGRONE:** Your Honor, I'm probably going to be
25 out of the country then, I believe. The following week.

1 **THE COURT:** You lucky people. How about September
2 18th?

3 **MS. MINGRONE:** I'm -- those are the two weeks I'm out.
4 I'm so sorry.

5 **THE COURT:** How about September 11th?

6 **MS. MINGRONE:** That should work.

7 **MS. TAYLOR:** That works for me.

8 **THE COURT:** Okay. So we'll have a CMC on
9 September 11th and a joint report on September 4th.

10 **MS. TAYLOR:** Yes. And then I had one more issue.

11 It's something that Denise and I have been -- Ms. Mingrone and
12 I have been speaking about over the last couple of days.

13 As you know from our briefing, we've hired the firm of
14 Stroz Friedburg -- Friedburg, and they're doing the
15 investigation as to what was going on on these devices in
16 Taiwan.

17 Synopsis has raised an objection to having one of the
18 individuals that's at Stroz participate in our investigation
19 because they had a conversation with him or exchanged
20 information with him -- I don't know what it was -- previously.

21 We're at an impasse at this point. This strikes me as a
22 motion to basically disqualify our expert, which would be a
23 motion that you would hear, and that's what I thought. And
24 Denise wrote back this morning and said their position is that
25 it's a discovery motion and that it should go to Judge Beeler.

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3 CERTIFICATE OF REPORTER

4 I certify that the foregoing is a correct transcript
5 from the record of proceedings in the above-entitled matter.

6
7 DATE: Thursday, June 7, 2018

8
9 *Pamela A. Batalo*

10 Pamela A. Batalo, CSR No. 3593, RMR, FCRR
11 U.S. Court Reporter

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